(19)

HIGH COURT OF CHHATTISGARH AT BILASPUR
WRIT PETITION (C) NO. 4937 of 2007

Petitioner		Shiv Narayan Pandey, S/o Shri R.P. Pandey, 45 yrs, R/o Vill. Gumadpal, Post Chandragiri, Teh. Jagdalpur, Distt. Bastar (C.G.)
	Versus	
Respondents	1.	State of Chhattisgarh, Through : The Secretary, Cooperative Department, Mantralaya, Raipur (C.G.)
	2.	The Registrar, Cooperative Societies, Telibandha Chowk, Link Road, Raipur (C.G.)
	3.	The Deputy Registrar, Cooperative Societies, Jagdalpur, Distt. Bastar (C.G.)
	4.	Bastar Zila Sahkari Krishi Aur Gramin Vikas Bank, Jagdalpur, Distt. Bastar (C.G.) Through : The Chief Executive Officer, Jagdalpur, Distt. Bastar (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

(SB : Hon'ble Mr. Satish K. Agnihotri, J.)

Present :- Shri Prafull Bharat, Advocate for the petitioner.
Shri G.D. Vaswani, Government Advocate for the Respondents No. 1 to 3/State.

ORDER
(Passed on this 17th day of August, 2007)

1. Learned counsel appearing for the petitioner submits that the petitioner is a member of Primary Cooperative Society and as such under the provisions of Section 10 (i-a) of the Cooperative Societies Act, he is entitled to be enlisted as voter in the voters list. Despite the fact, the respondent No. 4 has declined to enlist the petitioner in the voters list. Accordingly, the right of the petitioner to participate in the election proceedings has been infringed.

2. Shri G.D. Vaswani, learned Government Advocate appearing for the respondents No. 1 to 3 submits that the dispute can be raised before the Registrar, Cooperative Societies, Raipur for adjudication in accordance with law.

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3. In view of the categorical statement made by learned Government Advocate appearing for the respondents No. 1 to 3, the matter is referred to the Registrar, Cooperative Societies, Raipur for deciding the dispute in accordance with law, on its own merit. After enquiry, if it is found by the Registrar that the petitioner is eligible to be enlisted as voter in the voters list by the respnddent No. 4, the Registrar may pass an appropriate order accordingly.

4. Witht the above stated observation, this petition stands disposed of.

Sd/-
Satish K.Agnihotri
Judge